

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

**THE HON'BLE THE CHIEF JUSTICE MR.H.L.DATTU
&
THE HONOURABLE MR. JUSTICE K.T.SANKARAN**

WEDNESDAY, THE 27TH JUNE 2007 / 6TH ASHADHA 1929

Con.Case(C).No. 1222 of 2006(S)

IN OP.14651/1999 Dated 16/12/2005

PETITIONER/PETITIONER

SARAMMA SAMUEL, AGED 61 YEARS,
D/O.P.N.SAMUEL, HEADMISTRESS, M.T.L.P.SCHOOL,
VALANKARA, VENNIKKULAM, PATHANAMTHITTA DISTRICT.

BY ADV. SRI.P.HARIDAS

RESPONDENT/ 4TH RESPONDENT IN OP

SRI.P.P.SIVARAMAN, (AGE AND FATHERS
NAME IS NOT KNOWN TO THE PETITIONER),
THE DISTRICT EDUCATIONAL OFFICER, THIRUVALLA.

BY GOVERNMENT PLEADER SHRI MANOJ.

THIS CONTEMPT OF COURT CASE (CIVIL) HAVING BEEN
FINALLY HEARD ON 27/06/2007, THE COURT ON THE SAME DAY
DELIVERED THE FOLLOWING:

H.L. DATTU, C.J. & K.T. SANKARAN, J.

.....
CONTEMPT CASE (C) No. 1222 OF 2006
.....

Dated this the 27th June, 2007

J U D G M E N T

H.L. Dattu, C.J.:

Alleging that the respondent herein has disobeyed the orders and directions issued by this Court in Original Petition No. 14651 of 1999 dated 16th December, 2005, the complainant is before us in this Contempt Case.

2. The learned single Judge, while disposing of the Original Petition had observed as under:

“The issue raised in this Writ Petition regarding the entitlement of the benefits under Rule 60 of Part III KSR is covered in favour of the petitioner by the decision of the Supreme Court in State of Kerala vs. Neelakandan Nair (2005(3)KLT 717). There will be a direction to the 4th respondent to settle the benefits due to the petitioner in the light of the said judgment, within a period of three months from the date of production of a copy of the judgment by the petitioner along with a copy of the judgment referred to above. ”

3. The petitioner, being of the opinion that in spite of long lapse of time, the respondent has not complied with the orders and directions issued by this Court, has filed this Contempt Case.

4. During the pendency of this Contempt Case, the respondent has passed an order dated 12.06.2007 and in that has stated that the complainant would be entitled only to certain reliefs.

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5. This Court, while disposing of the Original Petition, had directed the 4th respondent to settle the benefits due to the petitioner in the light of the orders passed by the Honourable Supreme Court in the **State of Kerala vs. Neelakandan Nair** (2005 (3) KLT 717). Now that the respondent has passed a detailed order dated 12.6.2007, in our view, there is substantial compliance with the order passed by this court. In that view of the matter we do not intend to take cognizance of this Contempt Case filed by the petitioner. Therefore, further proceedings in this Contempt case require to be dropped and accordingly, they are dropped.

6. However, liberty is reserved to the petitioner, if he desires so, to question the correctness or otherwise of the order dated 12.06.2007, passed by the 4th respondent in appropriate proceedings.

7. I.A.No. 3634 of 2006 is also disposed of.

Ordered accordingly.

**H.L. DATTU,
CHIEF JUSTICE.**

**K.T. SANKARAN,
JUDGE.**

lk/DK